

Senator Culberson introduced a bill entitled "An act to authorize a change of venue in civil cases." Read first time and referred to Judiciary Committee.

Senator Ellis introduced the following resolution:

*Resolved*, That the President and Secretary of the Senate are hereby authorized to issue certificates to each of the assistant sergeants-at-arms, appointed by him to protect the Senate chamber, for their compensation, at the rate of eight dollars per day; to be paid out of the contingent fund.

Adopted.

Senator Dillard introduced a bill, entitled "An act for the relief of the heirs or assignees of William Stephens, deceased." Read first time and referred to Committee on Private Land Claims.

Senator Randle, Chairman of Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills, beg leave to report that they have carefully examined and compared Senate bill No. 2, "To regulate and define mileage to be paid to members of the Legislature." Also, Senate bill No. 17, "Making an appropriation to defray the contingent expenses of the first session of the Fourteenth Legislature of the State of Texas," each and both of which we find correctly engrossed.

ED. RANDLE, Chairman.

Senate joint resolution was then read third time and adopted by the following vote:

Ayes—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Ledbetter, Morris, Moore, Parker, Randle, Swift, Westfall and Wood—23.

Absent, not voting—Flanagan, Russell, Stirman and Trollinger.

On motion of Senator Baker, leave of absence was granted Senator Ledbetter until Tuesday next.

(Senator Swift in the chair.)

Senator Camp introduced a bill entitled "An act to validate the registry of deeds, bonds and other evidences of title in certain cases." Read first time and referred to the Committee on Judiciary.

Senator Culberson introduced a bill entitled "An act to amend Article 2994, of the Code of Criminal Procedure." Read first time and referred to the Committee on Judiciary.

(President in the chair.)

Senator Friend offered the following resolution:

*Resolved*, That the sergeant-at-arms be instructed and required to place the several committee rooms designated for the use of such committees, in good order, by having such furniture as he may find therein re-

paired and the procurement of new furniture, when proper:

Adopted.

Senator Randle, Chairman of the Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills beg leave to report that they have carefully examined Senate joint resolution No. 18, "Ratifying the amendments to section twenty of article one, Bill of Rights; to section two, section three and section four of article five; section twenty-eight, section 40 and section forty-eight of article twelve of General Provisions of the Constitution of the State of Texas," and find the same correctly engrossed.

ED. RANDLE, Chairman.

Senator Hobby offered the following resolution:

*Resolved*, That the Committee on Enrolled Bills be and is hereby authorized to appoint one assistant enrolling clerk.

Senator Dillard moved to amend by adding "whenever they may deem it necessary."

Amendment accepted, and the resolution as amended was adopted.

Senator Dillard offered the following resolution:

*Resolved*, That a committee of three be appointed to wait on the Superintendent of Education, and, if possible, procure the use of some of the rooms now occupied by his department, for the use of Senate committees.

Senator Wood moved to amend by striking out "and, if possible."

Amendment accepted, and the resolution as amended was adopted.

The President appointed the following Senators as said committee: Senators Wood, Erath and Westfall.

Senator Baker moved to adjourn to 8:30 p. m. to-day. Lost.

Senator Swift moved to adjourn to 10 A. M. to-morrow. Carried.

## TENTH DAY.

### SENATE CHAMBER,

AUSTIN, January 23, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday was read, and corrected by striking out the word "not" in the seventh line of report of Senator Ireland, on Senate bill No. 13; also inserting "five" in place of "seven," in sixth line of report of Senator Randle, in Senate bill No. 25. After which the journal was adopted.

Senator Wood, Chairman of Special Com-

mittee appointed to wait on the Superintendent of Instruction, in regard to obtaining rooms for the use of committees, made the following report:

*Hon. R. B. Hubbard, President of the Senate:*

The undersigned, committee appointed by resolution of the Senate to call on the Superintendent of Public Instruction to procure for the use of the Senate two of the rooms in the basement of the Capitol now occupied by this functionary, have to report that they have performed their duty. The committee find that but one of the rooms occupied by the Superintendent belong to the Senate (No. 8), which said room the Superintendent very cheerfully proposed to vacate and turn over to the use of the Senate, so soon as he could remove his books and fixtures from the same.

All of which is respectfully submitted.

W. D. WOOD,

W. H. WESTFALL,

G. B. ERATH.

Senator Allison introduced a resolution "requiring the Finance Committee to report the amount necessary to pay the assessors for 1873." Read first time and referred to Committee on Finance.

Senator Wood introduced a bill entitled "An act to regulate proceedings in the district courts." Read first time and referred to Judiciary Committee.

Senator Ireland introduced a bill entitled "An act to fix the times and places of holding Supreme Court." Read first time and referred to Judiciary Committee.

Senator Hobby, chairman of Committee on Enrolled Bills, made the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Enrolled Bills would respectfully report that they have examined Senate bill No. 16, "An act to re-enact an act entitled 'An act to authorize the police court of Leon county to levy and collect a special tax to build a jail, and to validate the action of said court under said law,' and to cause the same to be published as one of the laws of the Fourteenth Legislature," and find the same correctly enrolled, and that the said bill was presented to the Governor for his signature to-day at 10:30 A. M.

Hobby, Chairman.

Senator Wood offered the following concurrent resolution:

*Resolved by the Senate and House of Representatives of the State of Texas,* That the Senate and House of Representatives of the Fourteenth Legislature do agree to adjourn on Monday, the second day of February next, at 12 o'clock M., until the first Monday in April next, at 12 o'clock M. Read first time and referred to the Committee on State Affairs.

Senator Wood offered the following resolution:

*Resolved,* That the Judiciary Committee be instructed, at their earliest convenience to prepare and report a bill to the Senate regulating and fixing the fees of district clerks, sheriffs, constables and justices of the peace.

Adopted.

A message from the House announced the passage of Senate bill No. 25, "An act to amend 'An act to incorporate the city of Brownsville,'" approved February 7, 1873.

Senator Dillard introduced a bill entitled "An act to amend 'An act regulating proceedings in district courts,'" approved May 11, 1846. Read first time and referred to Judiciary Committee.

Senator Westfall introduced a bill entitled "An act making an appropriation to pay certain *per diem* certificates." Read first time and referred to Committee on Claims and Accounts.

Senator Parker introduced a bill entitled "An act to provide for the pay of jurors, and to regulate the disbursement of the same." Read first time and referred to Judiciary Committee.

A message from the House announced the passage of the following bills:

House bill No. 46, an act to be entitled "An act to consolidate in one act and amend the several acts incorporating the city of Houston, in Harris county." House bill No. 47, "An act to amend 'An act to incorporate the city of Jefferson, in Marion county, and to repeal all laws heretofore passed incorporating said city or amendatory thereof,'" approved April 15, 1873. House bill No. 54, "An act incorporating Waco Lodge No. 70, Independent Order of Odd Fellows."

#### ORDERS OF THE DAY.

House bill No. 3, "An act appropriating the sum of twenty thousand dollars, or so much thereof as may be necessary, to defray the contingent expenses of the first session of the Fourteenth Legislature," was read and referred to the Committee on Contingent Expenses.

House bill No. 5, "An act making an appropriation for mileage and *per diem* pay of members and the *per diem* pay of officers and employees of the Fourteenth Legislature," was read and referred to the Committee on Finance.

By leave, Senator Culberson, introduced a bill, entitled, "An act to amend section 36 of 'An act to establish and maintain a system of public free schools in the State of Texas,' passed, April 30, 1873." Read first time and referred to Committee on Education.

Senate bill No. 11, "An act to change the venue in the case of the State of Texas v. James J. Perkins, E. G. Hinkle, John

Stubblefield, Wm. Loggins, John Wade, John Alexander, Richard Wade and Dogan Tucker, pending in the District Court of Wood county," and accompanying report, recommending that said act do not pass, was read second time, and the report of the committee adopted. The bill was therefore lost.

Senate bill, No. 13, "An act to amend 'An act, prescribing the times for holding the district courts in the several judicial districts of the State,'" and accompanying report, that the bill do pass, was taken up, read second time, report of the committee adopted, and bill ordered engrossed.

On motion of Senator Trollinger, the rules were suspended. Bill read three times and passed.

Senate bill No. 9, "An act to incorporate the Austin Omnibus Company," and accompanying report, that said bill do not pass, was taken up; read second time, report of committee adopted, and bill lost.

Senator Erath moved a suspension of the rules, to take up House bill No. 54, "An act incorporating Waco Lodge No. 70, Independent Order of Odd Fellows." The rules were suspended, bill taken up, and read first time.

On motion of Senator Erath, the rules were suspended, and bill read second time.

On motion of Senator Erath, the rules were further suspended, bill read third time and passed.

Senator Baker moved a suspension of the rules to take up House bill No. 46, an act to be entitled "An act to consolidate in one act, and amend the several acts incorporating the city of Houston, in Harris county." Rules suspended, bill read first time.

On motion of Senator Wood, the rules were suspended, and bill read second time.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed.

Senator Ireland introduced a bill entitled "An act to require outgoing officers to turn over to their successors all books, papers and other property pertaining to the several offices in this State." Read first time and referred to Judiciary Committee.

Senator Westfall moved a reconsideration of the vote taken on the passage of House bill No. 46, "An act to be entitled 'An act to consolidate in one act and amend the several acts incorporating the city of Houston.'" Carried.

Yeas and nays being called for on the passage of said bill, the vote stood thus:

Yeas—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Morris, Moore, Parker, Russell, Swift, Trollinger, Westfall and Wood 23.

Nays—None.

Senator Randle was excused from voting. Absent, not voting—Senators Flanagan, Ledbetter and Stirman.

Senator Randle, chairman of the Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 14, "To authorize district judges to inquire into the sufficiency of the bonds of justices of the peace," which we find correctly engrossed.

ED. RANDLE, Chairman.

Senator Dwyer introduced a bill entitled "An act regarding special elections in counties, cities or towns for the construction of railroads, and other works of internal improvement." Read first time and referred to Committee on Internal Improvements.

Senator Wood introduced a concurrent resolution "concerning the election of a Senator to the Congress of the United States to succeed the Hon. J. W. Flanagan, whose term of office expires on the third day of March, A. D. 1875." Adopted.

Senator Wood introduced a concurrent resolution "concerning the employment of additional clerks, temporarily, in the Comptroller's office." Adopted.

Senator Hobby, chairman of Committee on Enrolled Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined Senate bill No. 25, "An act to amend 'An act to incorporate the city of Brownsville,'" approved February 7, A. D. 1853, and find the same correctly enrolled.

Hobby, Chairman.

On motion of Senator Wood, the Senate adjourned to 10 o'clock A. M. to-morrow.

## ELEVENTH DAY.

SENATE CHAMBER,  
AUSTIN, January 24, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the Rev. Mr. Dodge.

Journal of yesterday read and adopted.

Senator Wood moved that Senator Baker be excused until Tuesday next. Granted.

Message from the House announced the passage of the following House bills: House bill No. 53, "An act supplemental to an act entitled 'An act to incorporate the city of Brenham, and to grant a new charter to said city,'" approved February 4, 1873; House bill No. 59, "An act to amend an act